

DECLARATORY

~~XXXXXXXXXXXX~~
~~Improvement~~ Res. No. 1269-1970

For the Vacation of Holton Avenue from the
southerly right of way line of the Penn Central
Railroad to the north property line of the first alley
south of Greene Street.

Resolution Adopted: April 16, 1970

Confirmed: April 16, 1970

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed: June 18, 1970

DECLARATORY RESOLUTION NO. 1269-1970

For the Vacation of Holton Avenue from the southerly right of way line of the Penn Central Railroad to the north property line of the first alley south of Greene Street.

PLANS ORDERED:

ADOPTED: April 16, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

HEARING ON CONFIRMATION:

CONFIRMED: April 16, 1970

ASSESSMENT ROLL ORDERED: April 16, 1970

ASSESSMENT ROLL APPROVED: May 26, 1970

HEARING ON CONFIRMATION

OF ASSESSMENT ROLL: Thurs., June 18, 1970 3:30 p. m.

NOTICE SERVED: June 5, 1970

ASSESSMENT ROLL CONFIRMED: June 18, 1970

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of Holton Avenue from the southerly right of way line of the Penn Central Railroad to the north property line of the first alley south of Greene Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Holton Avenue from the southerly right of way line of the Penn Central Railroad to the north property line of the first alley south of Greene Street.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lot No. 1, Bard's Subdivision; Lots 10 and 11, Greene's Sub. of Hanna's Out Lot #6, Plat "A"; Lots 30, 31 and 50, Greene's Subdivision; Lot "G", Fruehauf Industrial Addition; also Lots 19, 20, 21, 22, 23, 60 and 61, Crescent Addition. All additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits~~

All Streets, lots and lands affected by the above described vacation are situated in the east one-half of Section Twelve, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 16 DAY OF April 19 70

Attest:

Secretary Board of Public Works.

Robert A. Dalmann
Board of Public Works.

1269

AVE

SUBDIVISION

HORACE STREET

AVENUE

3 4
GREENES

AVENUE

FRUEHAUF IND.

N
ADD.

LOT

"G

BUCHANAN

STREET

BOWSER

22 23 24 25

GREENE

70 71 72 73

NOTION

THESE

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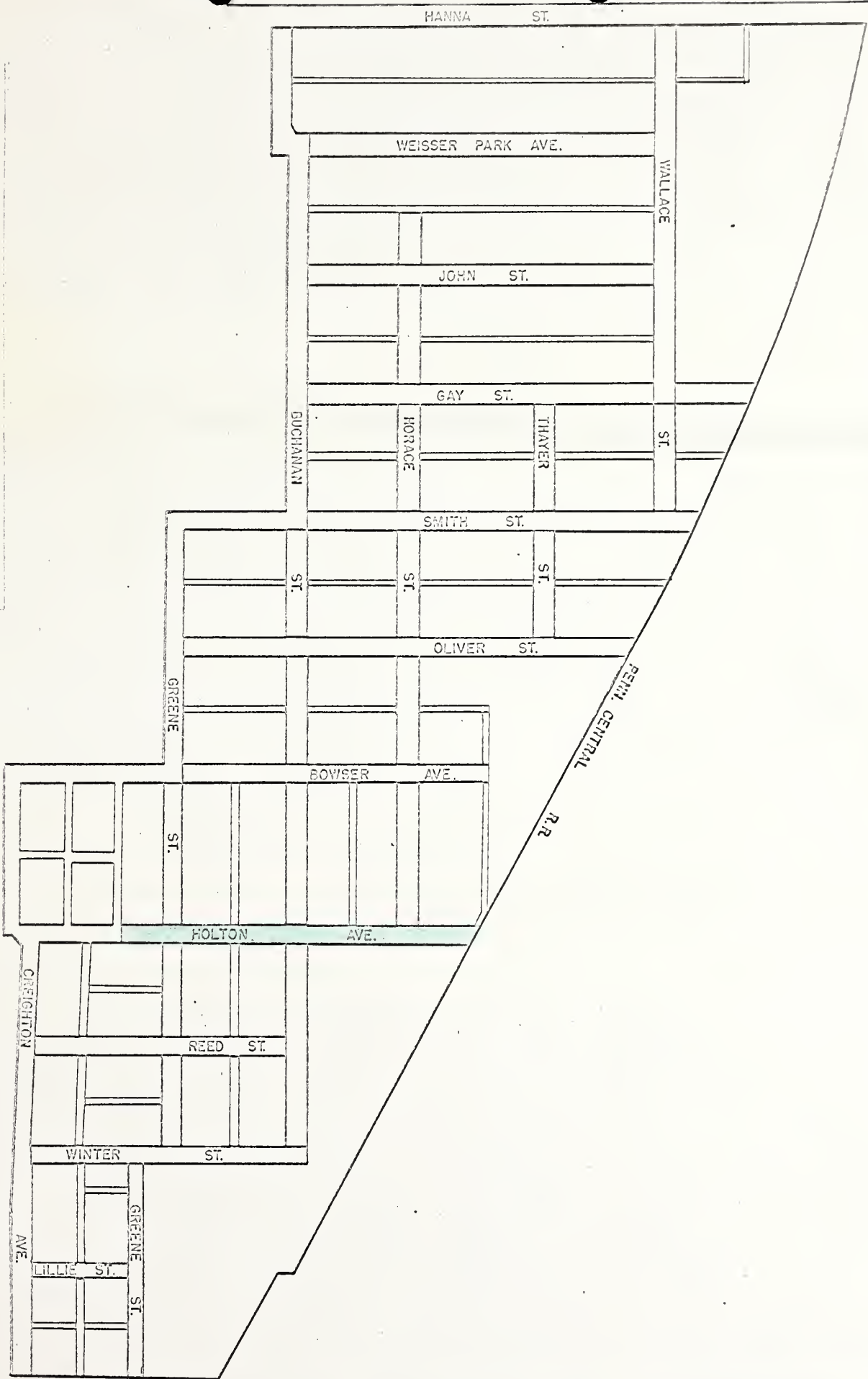
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48 SUP. 49

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32.15	24	33.5
32.15	25	33.5
32.15	26	33.5
32.15	27	33.5
32.75	28	33.5
32.75	29	33.5
32.75	130	33.5
32.75	30	33.5

190
51
190
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OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

55-52-6

Date April 16, 1970

B.O.67-70

To City Engineer

Subject Dec. 1269-1970 Holton Avenue

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

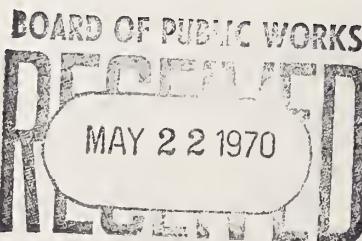
ic
encl. Res. & P. O. List

Signed _____

Reply:

May 21, 1970

Assessment Roll of Benefits and Damages completed and attached.



Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.

Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

W A I V E R

The undersigned City of Fort Wayne, Department of Redevelopment, the owner of all property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to wit:

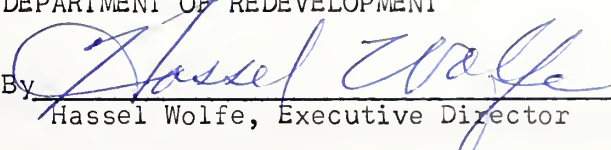
Holton Avenue from the southerly right of way line of the Penn Central Railroad to the north property line of the first alley south of Green St.

which proposed vacation is set out in Declaratory Resolution No. 1269 - 1970 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Department of Redevelopment.

Dated this 9TH day of April, 1970.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

By


Hassel Wolfe, Executive Director

DECLARATORY

Improvement Resolution No. **1269** -1970 For THE VACATION OF HOLTON AVENUE FROM THE SOUTHERLY RIGHTOF WAY LINE OF THE PENN CENTRAL RAILROAD TO THE NORTH PROPERTY LINE OF THE FIRST ALLEY SOUTH OF GREENE STREET.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	City of Fort Wayne	984 Holton Ave. S. E. Corner 425 S. Calhoun St.	1			BARD'S SUB.
2			10			GREENE'S SUB. OF HANNAS OUT LOT #6, PLAT "A"
3			11			"
4			30			GREENE'S SUB.
5			31			"
6			50			"
7			6			FRUEHAUF INDUSTRIAL ADDITION
8			19			CRESCENT ADDITION
9			20			"
10			21			"
11			22			"
12			23			"
13			60			"
14			61			"
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1269